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C O N F I D E N T I A L SECTION 01 OF 02 HARARE 000680

SIPDIS

NSC FOR SENIOR AFRICA DIRECTOR J. FRAZER, D. TEITELBAUM
LONDON FOR C. GURNEY
PARIS FOR C. NEARY
NAIROBI FOR T. PFLAUMER

E.O. 12958: DECL: 12/31/2014

TAGS: [PGOV](#) [PHUM](#) [PINR](#) [ZI](#) [MDC](#)

SUBJECT: HARARE MAYOR FIRED IN LATEST GOZ ATTACK ON MDC
LOCAL AUTHORITY

REF: A. HARARE 188

[B](#). HARARE 47

[C](#). HARARE 2406 2003

Classified By: Political Officer Audu Besmer for reasons 1.5 b/d

[1](#). (C) SUMMARY: On April 16 Minister of Local Government Ignatius Chombo fired the suspended MDC Mayor of Harare Elias Mudzuri without apparent legal justification. The Mayor said he intended to appeal to the High Court to overturn the dismissal, but we hold little hope for his success. END SUMMARY.

Harare Mayor Suspended Without Justification

[2](#). (C) In an April 15 letter from Chombo to Mudzuri, Chombo referred to an investigation into Mudzuri's conduct as Mayor and said that the President directed him to vacate his office and house within seven days.

[3](#). (U) Although the letter gave no justification for the dismissal, an article in the government-controlled Herald cited corruption, abuse of power, improper dismissal of council staff, improper tender procedures and failure to cooperate with the GOZ as reasons for the firing.

[4](#). (C) In a conversation with the Ambassador on April 20 at the Residence, Mudzuri said he intended to challenge the dismissal and eviction in the High Court. This would be the latest in a string of court applications by Mudzuri over the past year objecting to his suspension and investigation. Mudzuri said that under Zimbabwean law an election is required within 90 days of a Mayor vacating office and Mudzuri intended to run again.

[5](#). (C) Mudzuri said that he would consider writing a letter to the African Union of Local Authorities (AULA), copying it to the international media, clearly outlining that there was no legal justification for his dismissal.

[6](#). (U) On April 20, the Combined Harare Residents' Association (CHRA) issued a strongly-worded condemnation of Mudzuri's dismissal. MDC Bulawayo Mayor Japhet Ndabeni-Ncube publicly criticized the political nature and lack of legal justification for the decision in an April 18 article in the independent weekly The Standard.

Mudzuri Suspension Background

[7](#). (U) Chombo suspended Mudzuri in April 2003 and set up a nine-member commission led by Professor Jameson Kurasha to investigate him. A November 2003 High Court ruling declared that the Kurasha commission was improperly formed and the evidence it gathered could not be used to fire Mudzuri (Ref C). The Kurasha commission submitted its report to Chombo in January (Ref A) -- the contents of which have never been made public. In March Chombo appointed a new three-member commission headed by lawyer Johannes Tomana to consider allegations against the Mayor and recommend whether to fire Mudzuri. In various press reports Tomana said his commission purposefully did not review the Kurasha report so as not to prejudice itself, but instead made its recommendation to fire Mudzuri based on interviews with council staff. Mudzuri refused to be questioned by Tomana absent the Kurasha report.

[8](#). (C) COMMENT: While there have been two commissions set up to investigate Mudzuri, both of which have filed reports or made recommendations to Minister Chombo, Chombo cited no findings, and gave no reasons in his April 15 dismissal letter to Mudzuri. Given the political motivations behind Mudzuri's firing, we think the chances are slim that Mudzuri's appeal to the High Court could result in a decision overturning his firing and eviction. Taken with a ZANU-PF mob's April 21 forcible eviction of the duly elected MDC mayor of Mutare (Septel), the message from the GOZ to MDC local authorities seems clear, you are treading on thin ice, watch your step or we will take you down by any means necessary.

